

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**GAUGE ROBINETTE, SR.,**

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**Case No. 2:22-cv-1592**

Plaintiff,

v.

**District Judge James L. Graham  
Magistrate Judge Caroline H. Gentry**

**ROSS CORRECTIONAL INSTITUTION,**

Defendant.

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**ORDER ADOPTING REPORT AND RECOMMENDATION**

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The Court has reviewed the Report and Recommendation of United States Magistrate Judge Gentry (ECF No. 7), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto, and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendation.

Accordingly, Plaintiff's Complaint is hereby **DISMISSED WITH PREJUDICE** pursuant to 28 U.S.C. §§ 1915(e)(2)(B) and 1915A(b). Petitioner is **DENIED** a certificate of appealability, and the Court hereby certifies to the United States Court of Appeals that an appeal would be objectively frivolous, and therefore Petitioner should not be permitted to proceed in forma pauperis.

The Clerk is instructed to enter judgment and close this case.

**IT IS SO ORDERED.**

/s/ James L. Graham  
JAMES L. GRAHAM  
United States District Judge

DATE: May 25, 2022